

# PATENT APPLICATION FEE DETERMINATION RECORD

Effective October 1, 2001

Application or Docket Number

09/440,378

## CLAIMS AS FILED - PART I

	(Column 1)	(Column 2)
TOTAL CLAIMS		
FOR	NUMBER FILED	NUMBER EXTRA
TOTAL CHARGEABLE CLAIMS	minus 20=	
INDEPENDENT CLAIMS	minus 3=	
MULTIPLE DEPENDENT CLAIM PRESENT <input type="checkbox"/>		

SMALL ENTITY TYPE ☐

OR OTHER THAN SMALL ENTITY

RATE	FEE
BASIC FEE	370.00
X\$ 9=	
X42=	
+140=	
TOTAL	

RATE	FEE
BASIC FEE	740.00
X\$18=	
X84=	
+280=	
TOTAL	

\* If the difference in column 1 is less than zero, enter "0" in column 2

8/11/05

## CLAIMS AS AMENDED - PART II

	(Column 1)		(Column 2)	(Column 3)
AMENDMENT A	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
Total	11	Minus	104	
Independent	6	Minus	4	2
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM <input type="checkbox"/>				

RATE	ADDITIONAL FEE
X\$ 9=	
100 XAE=	200.00
+140=	
TOTAL ADDIT. FEE	200.00

RATE	ADDITIONAL FEE
X\$18=	
X84=	
+280=	
TOTAL ADDIT. FEE	

11-17-05

	(Column 1)		(Column 2)	(Column 3)
AMENDMENT B	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
Total	11	Minus	104	
Independent	6	Minus	6	
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM <input type="checkbox"/>				

RATE	ADDITIONAL FEE
X\$ 9=	
X42=	
+140=	
TOTAL ADDIT. FEE	

RATE	ADDITIONAL FEE
X\$18=	
X84=	
+280=	
TOTAL ADDIT. FEE	

5-12-06

	(Column 1)		(Column 2)	(Column 3)
AMENDMENT C	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
Total	11	Minus	104	0
Independent	6	Minus	6	0
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM <input checked="" type="checkbox"/>				

RATE	ADDITIONAL FEE
X\$ 9=	
X42=	
+140=	
TOTAL ADDIT. FEE	

RATE	ADDITIONAL FEE
X\$18=	
X84=	
+280=	
TOTAL ADDIT. FEE	

\* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.

\* If the Highest Number Previously Paid For IN THIS SPACE is less than 20, enter 20.

\* If the Highest Number Previously Paid For IN THIS SPACE is less than 84, enter 84.

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05/31/2006 THAKIM 00000001 500413 09940378

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P A T E N T

**UNITED STATES PATENT AND TRADEMARK OFFICE**

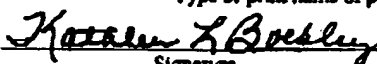
In re: Gust H. Bardy et al. Confirmation No.: 2603  
Serial No.: 09/940,378 Examiner: K. Mullen  
Filing Date: August 27, 2001 Group Art Unit: 3766  
Docket No.: 1201.1112101 Customer No.: 21691  
For: BIPHASIC WAVEFORM ANTI-BRADYCARDIA PACING FOR A  
SUBCUTANEOUS IMPLANTABLE CARDIOVERTER-DEFIBRILLATOR

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**TERMINAL DISCLAIMER TO OBVIATE DOUBLE PATENTING  
REJECTION OVER A PRIOR PATENT (37 C.F.R. § 1.321(c))**

<b>CERTIFICATE OF FACSIMILE TRANSMISSION UNDER 37 C.F.R. §1.8 (1)(X)(B))</b>	
I hereby certify that this correspondence is being transmitted by facsimile to the United States Patent and Trademark Office at <u>571-273-8300</u> on the date shown below.	
_____ Kathleen L. Beckley Type or print name of person signing certification	
 _____ Signature	_____ May 17, 2006 Date

Dear Sir:

The owner, CAMERON HEALTH, INC., full of interest in the instant application, hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §§ 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior Patent No. 6,856,835. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full

Appl. No. 09/940,378  
Term. Disc. dated May 17, 2006  
Reply to Office Action of February 22, 2006

statutory term as defined in 35 U.S.C. §§ 154 to 156 and 173 of the prior patent, as "the term of the prior patent is presently shortened by any terminal disclaimer," in the event that the prior patent later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

The undersigned is an attorney of record.

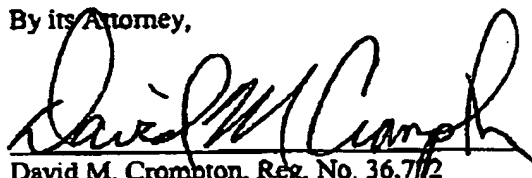
As indicated on the Fax Transmission Cover Letter, Applicants authorize the terminal disclaimer fee of \$65 (small entity) to be charged to Deposit Account No. 50-0413.

Respectfully submitted,

CAMERON HEALTH, INC.

By its Attorney,

Date: 5/17/06



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